

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 1:06CR107-MHT
)	
MICHAEL D. HARVEY)	

MOTION TO DECREASE DEFENDANT'S OFFENSE LEVEL
PURSUANT TO § 3E1.1(b), UNITED STATES SENTENCING GUIDELINES
(ACCEPTANCE OF RESPONSIBILITY)

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and respectfully moves this Court to reduce by one (1) level defendant's offense level based on defendant's acceptance of responsibility. As grounds for this motion, the United States avers as follows:

1. A grand jury sitting in the Middle District of Alabama returned an indictment against Defendant on April 5, 2006.
2. After being arrested, defendant notified the United States of his intent to plead guilty sufficiently early to permit the government to avoid preparing for trial and to allocate its resources efficiently. Defendant pled guilty on May 24, 2007.
3. Therefore, pursuant to United States Sentencing Guidelines § 3E1.1(b), as amended, the United States makes this formal motion for a one-level reduction in defendant's offense level for acceptance of responsibility such that the total reduction in offense level for defendant's acceptance of responsibility shall be three (3) levels.

WHEREFORE, the United States respectfully requests that this motion be GRANTED.

Respectfully submitted this the 2nd day of August, 2007.

LEURA G. CANARY
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on August 2, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Timothy Halstrom.

Respectfully submitted,

LEURA G. CANARY
UNITED STATES ATTORNEY

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